

Interview Summary

Application No.

10/083,726

Applicant(s)

SHOEN ET AL.

Examiner

Robert M. Pond

Art Unit

3625

All participants (applicant, applicant's representative, PTO personnel):

(1) Robert M. Pond.(3) Mr. Steven Winkelman, Assignee Representative.(2) Mr. Richard Oney, #36,884.

(4) ____.

Date of Interview: 03 September 2008.Type: a) ☒ Telephonic b) ☐ Video Conferencec) ☐ Personal [copy given to: 1) ☐ applicant2) ☐ applicant's representative]Exhibit shown or demonstration conducted: d) ☐ Yese) ☒ No.

If Yes, brief description: ____.

Claim(s) discussed: Proposed amendment.Identification of prior art discussed: None.Agreement with respect to the claims f) ☐ was reached. g) ☐ was not reached. h) ☒ N/A.

Substance of Interview including description of the general nature of what was agreed to if an agreement was reached, or any other comments: See Continuation Sheet.

(A fuller description, if necessary, and a copy of the amendments which the examiner agreed would render the claims allowable, if available, must be attached. Also, where no copy of the amendments that would render the claims allowable is available, a summary thereof must be attached.)

THE FORMAL WRITTEN REPLY TO THE LAST OFFICE ACTION MUST INCLUDE THE SUBSTANCE OF THE INTERVIEW. (See MPEP Section 713.04). If a reply to the last Office action has already been filed, APPLICANT IS GIVEN A NON-EXTENDABLE PERIOD OF THE LONGER OF ONE MONTH OR THIRTY DAYS FROM THIS INTERVIEW DATE, OR THE MAILING DATE OF THIS INTERVIEW SUMMARY FORM, WHICHEVER IS LATER, TO FILE A STATEMENT OF THE SUBSTANCE OF THE INTERVIEW. See Summary of Record of Interview requirements on reverse side or on attached sheet.

/Robert M. Pond/
Primary Examiner, Art Unit 3625

Continuation of Substance of Interview including description of the general nature of what was agreed to if an agreement was reached, or any other comments: Reviewed proposed claims sent via email on 19 August 2008 from Mr. Oney. Focus was placed on proposed amended language to include use of a confirmation code. Subject matter considered to be broad was discussed and removed. Additional discussion was required on 04 September 2008 to review claim 2 as a model for all independent claims. Attached communications are evidence of further refinement of the proposed claim amendments through 09 September 2008. Agreement on final claim language was reached on 18 September 2008.

Attachment 09_09_08

Attachment 08_19_08

Attachment 09_18_08.

Pond, Robert

From: Richard E. Oney [reo@tblaw.com]
Sent: Tuesday, August 19, 2008 1:44 PM
To: Pond, Robert
Cc: Louis A. Lofredo
Subject: United States Patent Application No. 10/083,726; Proposed claims
Attachments: 376610.DOC

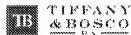
Re: United States Patent Application No. 10/083,726
Title: Online Marketplace for Moving and Relocation Services
Inventors: Shoen, et al.
Filing Date: October 19, 2001
Attorney Docket No.: 12521-021

Examiner Pond:

Following up on our recent telephone conversations, attached is a set of proposed claims for the referenced application. I will be out of the office this afternoon, but I will be back in my office tomorrow and I can discuss the claims with you then or any other time at your convenience this week.

Thank you.

Richard E. Oney
Direct 602-255-6094| Fax 602-255-0130|



Third Floor Camelback Esplanade II
2525 East Camelback Road
Phoenix, AZ 85016-9240
Visit our website at: www.tblaw.com

This electronic mail transmission contains information from the law firm of Tiffany & Bosco, P.A. that may be confidential or privileged. Such information is solely for the intended recipient, and use by any other party is not authorized. If you are not the intended recipient, be aware that any disclosure, copying, distribution or use of this message, its contents or any attachments is prohibited. Any wrongful interception of this message is punishable as a Federal Crime. If you have received this message in error, please notify the sender immediately by telephone (602-255-6094) or by electronic mail at (reo@tblaw.com)

Attachment 09_09_08

Pond, Robert

From: Pond, Robert
Sent: Tuesday, September 09, 2008 11:20 AM
To: 'Richard E. Oney'
Subject: RE: 10/083,726

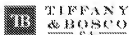
Hi Mr. Oney,
Claims before 22 are OK, consistent, and have the high potential subject matter in the context of primary-secondary transactions leading to performance of an auxiliary service and use of a circuitous confirmation code. Claim 22 broadens the scope by omitting the secondary transaction and auxiliary service. The high potential subject matter as I recall is disclosed only in the context of a primary-secondary transaction/auxiliary service embodiment as is the specification itself. If, however, it is supported in a broader context in the spec and claim 22 is submitted in an After Final, restriction based on election by original presentation would have to be weighed. Keep in mind the after final process is available to put the application in condition for allowance or in better form for appeal, not to search a broader invention not elected through original presentation.

Rob Pond
571-272-6760

From: Richard E. Oney [mailto:reo@tbiaw.com]
Sent: Monday, September 08, 2008 9:48 PM
To: Pond, Robert
Subject: 10/083,726

Attached are the amended claims that I have prepared for the Amendment after Final. I would like to file the Amendment tomorrow. I can call you first to confirm that the amended claims are OK if you would like.

Richard E. Oney
Direct 602-255-6094| Fax 602-255-0130|



Third Floor Camelback Esplanade II
2525 East Camelback Road
Phoenix, AZ 85016-9240
Visit our website at: www.tbaw.com

This electronic mail transmission contains information from the law firm of Tiffany & Bosco, P.A. that may be confidential or privileged. Such information is solely for the intended recipient, and use by any other party is not authorized. If you are not the intended recipient, be aware that any disclosure, copying, distribution or use of this message, its contents or any attachments is prohibited. Any wrongful interception of this message is punishable as a Federal Crime. If you have received this message in error, please notify the sender immediately by telephone (602-255-6094) or by electronic mail at (reo@tbiaw.com)

From: Pond, Robert [mailto:Robert.Pond@USPTO.GOV]
Sent: Monday, September 08, 2008 3:17 PM
To: Richard E. Oney
Subject: RE: Update: 10/083,726

Yes.

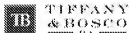
9/16/08

From: Richard E. Oney [mailto:reo@tblaw.com]
 Sent: Monday, September 08, 2008 4:39 PM
 To: Pond, Robert
 Subject: RE: Update: 10/083,726

Not yet. I have the claim amendments done, but I'm working on the remarks now.

Would you like to see an email with the amended claims to make sure you are OK with them?

Richard E. Oney
 Direct 602-255-6094| Fax 602-255-0130|



Third Floor Camelback Esplanade II
 2525 East Camelback Road
 Phoenix, AZ 85016-9240
 Visit our website at: www.tblaw.com

This electronic mail transmission contains information from the law firm of Tiffany & Bosco, P.A. that may be confidential or privileged. Such information is solely for the intended recipient, and use by any other party is not authorized. If you are not the intended recipient, be aware that any disclosure, copying, distribution or use of this message, its contents or any attachments is prohibited. Any wrongful interception of this message is punishable as a Federal Crime. If you have received this message in error, please notify the sender immediately by telephone (602-255-6094) or by electronic mail at (reo@tblaw.com)

From: Pond, Robert [mailto:Robert.Pond@USPTO.GOV]
 Sent: Monday, September 08, 2008 1:37 PM
 To: Richard E. Oney
 Subject: RE: Update: 10/083,726

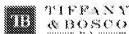
Did you file our After Final?

From: Richard E. Oney [mailto:reo@tblaw.com]
 Sent: Friday, September 05, 2008 11:29 AM
 To: Pond, Robert
 Subject: RE: Update: 10/083,726

Thanks.

I confirmed with my client that we don't have any further changes to the model language of the claim clauses that you and I discussed yesterday.

Richard E. Oney
 Direct 602-255-6094| Fax 602-255-0130|



Third Floor Camelback Esplanade II
 2525 East Camelback Road
 Phoenix, AZ 85016-9240

9/16/08

Visit our website at: www.tblaw.com

This electronic mail transmission contains information from the law firm of Tiffany & Bosco, P.A. that may be confidential or privileged. Such information is solely for the intended recipient, and use by any other party is not authorized. If you are not the intended recipient, be aware that any disclosure, copying, distribution or use of this message, its contents or any attachments is prohibited. Any wrongful interception of this message is punishable as a Federal Crime. If you have received this message in error, please notify the sender immediately by telephone (602-255-6094) or by electronic mail at (reo@tblaw.com)

From: Pond, Robert [mailto:Robert.Pond@USPTO.GOV]
Sent: Thursday, September 04, 2008 2:35 PM
To: Richard E. Oney
Subject: Update: 10/083,726

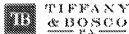
Request for mandatory NPL/inventor search has been submitted.

From: Richard E. Oney [mailto:reo@tblaw.com]
Sent: Thursday, September 04, 2008 4:37 PM
To: Pond, Robert
Subject: 10/083,726

Examiner Pond,

Here is another draft for your review.

Richard E. Oney
Direct 602-255-6094| Fax 602-255-0130|



Third Floor Camelback Esplanade II
2525 East Camelback Road
Phoenix, AZ 85016-9240
Visit our website at: www.tblaw.com

This electronic mail transmission contains information from the law firm of Tiffany & Bosco, P.A. that may be confidential or privileged. Such information is solely for the intended recipient, and use by any other party is not authorized. If you are not the intended recipient, be aware that any disclosure, copying, distribution or use of this message, its contents or any attachments is prohibited. Any wrongful interception of this message is punishable as a Federal Crime. If you have received this message in error, please notify the sender immediately by telephone (602-255-6094) or by electronic mail at (reo@tblaw.com)

Pond, Robert

From: Richard E. Oney [reo@tblaw.com]
Sent: Thursday, September 18, 2008 3:00 PM
To: Pond, Robert
Subject: RE: United States Patent Application No. 10/083,726; Proposed amendment

Examiner Pond,

Here is another proposed amendment:

issuing to the customer a confirmation code associated with the secondary transaction; and
after performance of the service or delivery of the good and the vendor's receipt of the confirmation code
from the customer, activating a payment to the vendor for the service or good in response to the vendor
entering the confirmation code.

Richard E. Oney
Direct 602-255-6094| Fax 602-255-0130|



TIFFANY
& BOSCO
P.A.

Third Floor Camelback Esplanade II
2525 East Camelback Road
Phoenix, AZ 85016-9240
Visit our website at: www.tblaw.com

This electronic mail transmission contains information from the law firm of Tiffany & Bosco, P.A. that may be confidential or privileged. Such information is solely for the intended recipient, and use by any other party is not authorized. If you are not the intended recipient, be aware that any disclosure, copying, distribution or use of this message, its contents or any attachments is prohibited. Any wrongful interception of this message is punishable as a Federal Crime. If you have received this message in error, please notify the sender immediately by telephone (602-255-6094) or by electronic mail at (reo@tblaw.com)

From: Richard E. Oney
Sent: Thursday, September 18, 2008 10:02 AM
To: 'Pond, Robert'
Subject: RE: United States Patent Application No. 10/083,726; Proposed amendment

Examiner Pond,

Here is my suggested change in light of our conversation this morning:

issuing to the customer a confirmation code associated with the secondary transaction; [and]
instructing the customer to provide the confirmation code to the vendor after performance of the service or
delivery of the good; and

after the customer provides the confirmation code to the vendor, activating a payment to the vendor for the service or good in response to the vendor entering the confirmation code.

I will give you a call to discuss it in a few minutes.

Richard E. Oney
Direct 602-255-6094| Fax 602-255-0130|



**TIFFANY
& BOSCO**
P.A.

Third Floor Camelback Esplanade II
2525 East Camelback Road
Phoenix, AZ 85016-9240
Visit our website at: www.tblaw.com

This electronic mail transmission contains information from the law firm of Tiffany & Bosco, P.A. that may be confidential or privileged. Such information is solely for the intended recipient, and use by any other party is not authorized. If you are not the intended recipient, be aware that any disclosure, copying, distribution or use of this message, its contents or any attachments is prohibited. Any wrongful interception of this message is punishable as a Federal Crime. If you have received this message in error, please notify the sender immediately by telephone (602-255-6094) or by electronic mail at (reo@tblaw.com)

From: Pond, Robert [<mailto:Robert.Pond@USPTO.GOV>]
Sent: Wednesday, September 17, 2008 4:35 PM
To: Richard E. Oney
Subject: RE: United States Patent Application No. 10/083,726; Proposed amendment

All documents are ready to be submitted for processing. The Examiner's Amendment incorporates your version below. I would like to have one more quick discussion pertaining to a possible implication of using the word "instructing."

From: Richard E. Oney [<mailto:reo@tblaw.com>]
Sent: Wednesday, September 17, 2008 5:49 PM
To: Pond, Robert
Subject: RE: United States Patent Application No. 10/083,726; Proposed amendment

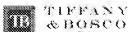
Examiner Pond:

How about the following:

issuing to the customer a confirmation code associated with the secondary transaction; [and]
instructing the customer to provide the confirmation code to the vendor after performance of the service or delivery of the good; and
activating a payment to the vendor for the service or good in response to the vendor entering the confirmation code.

Richard E. Oney
Direct 602-255-6094| Fax 602-255-0130|

9/18/08



Third Floor Camelback Esplanade II
2525 East Camelback Road
Phoenix, AZ 85016-9240
Visit our website at: www.tbllaw.com

This electronic mail transmission contains information from the law firm of Tiffany & Bosco, P.A. that may be confidential or privileged. Such information is solely for the intended recipient, and use by any other party is not authorized. If you are not the intended recipient, be aware that any disclosure, copying, distribution or use of this message, its contents or any attachments is prohibited. Any wrongful interception of this message is punishable as a Federal Crime. If you have received this message in error, please notify the sender immediately by telephone (602-255-6094) or by electronic mail at (reo@tbllaw.com)

From: Pond, Robert [<mailto:Robert.Pond@USPTO.GOV>]
Sent: Wednesday, September 17, 2008 12:08 PM
To: Richard E. Oney
Subject: RE: United States Patent Application No. 10/083,726; Proposed amendment

Using claim 2 as an example, we can fix this issue with wording such as:

issuing to the customer a confirmation code associated with the secondary transaction; [and]
~~receiving from the customer by the vendor the confirmation code~~ after performance of the service or delivery of the good; and
activating a payment to the vendor for the service or good in response to the vendor entering the confirmation code.